

Expedited Funds Availability**YES****NO**OperationsA. Date of Deposit

1. Does the bank consider every day except Saturday, Sunday, or Federal Holidays, as a "business day"? (229.2(g))
2. Does the bank consider as a "banking day" those business days upon which an office of the bank is open for substantially all of its business? (229.2(f))
3. Does the bank have a cut-off, for receipt of deposits, of 2 p.m. or later for bank offices and 12 noon or later for ATMs? (229.19(a)(5)(ii))
4. Does the bank comply with the following rules in determining when funds are considered to have been deposited?
 - a. Deposits over the counter or at ATMs are considered deposited when "received". (229.19(a)(1))
 - b. Mail deposits are considered deposited when they are received by the mail room of the bank. (229.19(a)(2))
 - c. Deposits in a night depository, lock box, or similar facility are considered received when the deposits are removed from the facility and are available for processing. (229.19(a)(3))
 - d. Deposits at an off-premise ATM (not within 50 feet of the bank) that is not serviced more than twice a week are considered received as of the date the deposits are removed from the ATM by the bank. (229.19(a)(4))
5. Does the bank consider deposits made on a non banking day to have been received no later than the next banking day? (229.19(a)(5)(i))
6. When funds must be available on a given "business day", does the bank make the funds available at the later of 9 a.m. or at the time the bank's teller facilities (including ATMs) are available for account withdrawals? (229.19(b))
7. If the bank limits cash withdrawals, does the bank make \$400 available for cash withdrawals no later than 5 p.m. on the appropriate business day (second day for local checks, fifth for nonlocal checks) following the day of deposit? (229.12(d))

B. Required Next Day Availability

1. Does the bank make funds from the following types of deposits available for withdrawal no later than the first business day following the date of deposit:

- | | | | |
|----|---|-------|-------|
| a. | Electronic payments (229.10(b)) | _____ | _____ |
| b. | Checks drawn on the U.S. Treasury and deposited to the payee's account (229.10(c)(1)(i)) | _____ | _____ |
| c. | "On Us" checks or checks that are drawn on and deposited in branches of the same bank in the same state or check processing region (229.10(c)(1)(vi)) | _____ | _____ |

Expedited Funds Availability (continued)**YES****NO**

2. Does the bank make funds from the following deposits available no later than the first business day after the day of deposit, if the deposit is made in person to a bank employee, or no later than the second business day if the deposit is not made in person to a bank employee:
- a. Cash Deposits (229.10(a)(1), (2)) _____
 - b. U.S. Postal Service money orders deposited in an account held by the payee of the check (229.10(c)(1)(ii) and 229.10(c)(2)) _____
 - c. Checks drawn on a Federal Reserve Bank or Federal Home Loan Bank deposited in an account held by the payee of the check (229.10(c)(1)(iii) and 229.10(c)(2)) _____
 - d. Checks drawn by a state or local governmental unit and deposited:
 - i. In an account held by the payee of the check (229.10(c)(1)(iv)(A) and 229.10(c)(2)) _____
 - ii. In a depository bank located in the same state as the governmental unit issuing the check (229.10(c)(1)(iv)(8) and 229.10(c)(2)) _____
 - iii. Accompanied by a special deposit slip (if required by the bank to make the funds available on the next business day). (229.10(c)(1)(iv)(D) and 229.10(c)(3)) _____
 - e. Cashier's checks, certified checks, and teller's checks (as defined in Section 229.2) deposited in an account held by the payee of the check when:
 - i. The check is accompanied by a special deposit slip (if required by the bank to make the funds available on the next business day)? (229.10(c)(1)(v)(C) and 229.10(c)(3)) _____
3. If the bank requires the special deposit slips, for questions 2(d) and 2(e) above, does it provide the slip to its customers, or inform its customers how to prepare or obtain the slips? (229.10(c)(3)(ii)) _____
- Are the special deposit slips reasonably available? (229.10(c)(3)(ii)) _____
4. Is the first \$100 of a customer's daily aggregate deposits of checks not subject to the next-day availability rules, available on the next business day? (229.10(c)(1)(vii)) _____

Expedited Funds Availability (continued)**YES****NO**

5. Is the \$100 in *addition to* other deposited amounts with required next-day availability? (229.10(c)(1)(vii))

C. Local Checks and Certain Other Deposits

1. Are funds from local checks generally available no later than the second business day after the day of deposit? (229.12(b)(1))

Expedited Funds Availability (continued)**YES****NO**

2. If a bank limits cash withdrawals, (229.12(d))
 - a. Is the \$100 available on the next business day after the day of deposit for withdrawal in cash or by check? _____
 - b. Is the \$400 available for cash withdrawal sometime before 5 p.m. on the second business day after the day of deposit? _____
 - c. Are any remaining funds available for withdrawal the business day after the \$400 was made available? _____
3. For Treasury checks and U.S. Postal Service money orders that do not meet the criteria for next-day (or second day) availability, does the bank make funds available no later than the second business day after the date of deposit? (229.12(b)(2) and (4)) _____
4. Are funds deposited by cash or check at a nonproprietary ATM available no later than the fifth business day after the banking day of deposit? (229.12(f)) _____

D. Nonlocal Checks

1. Are funds from nonlocal checks generally available no later than the fifth business day after the day of deposit? (229.12(c)(1)) _____
2. If the bank is located in a city listed in Appendix B, does it have procedures to make funds for certain nonlocal checks available on a shorter schedule as required by the Appendix? (229.12(c)(2)) _____
3. If the bank limits cash withdrawals, (229.12(d))
 - a. Is \$100 available on the next business day after the day of deposit for withdrawal in cash or by check? _____
 - b. Is \$400 available for cash withdrawal sometime before 5 p.m. on the fifth business day after the day of deposit? _____
 - c. Are any remaining funds available for cash withdrawal the business day after the \$400 was made available? _____

E. Payable Through Checks

1. Does the bank's policy distinguish between local and nonlocal checks (are funds from local and nonlocal checks available on the second business day following the day of deposit)? (229.16(b)(2), footnote 3a) _____
2. If local and nonlocal checks are treated differently, _____

Expedited Funds Availability (continued)

YES

NO

- a. Does the policy state that payable through checks will be treated as local or nonlocal based on the location of the bank where the check is payable?
(229.16(b)(2))

Expedited Funds Availability (continued)**YES****NO**

b. Does the policy either: (229.16(b)(2), footnote 3(a))

(1) Describe how the customer can determine whether the checks will be treated as local or nonlocal, or

(2) State that special rules apply and that the customer may ask about availability of these checks?

Extended HoldsF. Case-by-Case Holds

1. Does the bank's specific availability policy disclosures indicate that case-by-case holds may be placed? (229.16(c)(1))

If yes, does the disclosure:

a. State that the bank may extend the time period in which deposits may be available for withdrawal? (229.16(c)(1)(i))

b. Provide the latest time a deposit will be available for withdrawal, if the availability time frame is extended? (229.16(c)(1)(i))

c. State that the bank will notify the customer if funds from a particular deposit will exceed the time period outlined in the bank's funds availability policy? (229.16(c)(1)(ii))

d. Encourage customers to ask when particular deposits will be made available for withdrawal? (229.16(c)(1)(iii))

2. When case-by-case holds are placed, does the bank provide the customer with a written notice of the hold? (229.16(c)(2))

3. Does the notice include:

a. The customer's account number. (229.16(c)(2)(i)(A))

b. The date and amount of the deposit. (229.16(c)(2)(i)(B))

c. The amount of the deposit that is being delayed. (229.16(c)(2)(i)(C))

d. The day the funds will be available for withdrawal. (229.16(c)(2)(D))

4. Does the bank provide the notice at the time the deposit is made, if the deposit is made to an employee of the depository bank? (229.16(c)(2)(ii))

Expedited Funds Availability (continued)**YES****NO**

5. If the notice is not given at the time of deposit, does the depository bank mail or deliver the notice to the customer not later than the first business day after the day of the deposit? (229.16(c)(2)(ii)) _____
6. If the bank does not provide the notice at the time of deposit, does it refrain from charging the customer overdraft or return check fees if:
- a. The overdraft or other fee would not have occurred if the deposit check had not been delayed, and _____
- b. The deposited check was paid by the paying bank. (229.16(c)(3)) _____
7. If the bank does not provide the notice at the time of deposit and charges overdraft fees, does it notify the customer of the right to a refund of such fees and how to obtain the refund? (229.16(c)(3)) _____
8. Does the bank refund the fees if the conditions listed in question 6 above are met and the customer requests a refund? (229.16(c)(3)) _____

G. Exception Based Holds

1. When invoking an exception hold for other than new accounts, does the bank provide the customer with a written notice which includes:
- a. The customer's account number. (229.13(g)(1)(i)) _____
- b. The date and amount of the deposit. (229.13(g)(1)(ii)) _____
- c. The amount of the deposit that is being delayed. (229.13(g)(1)(iii)) _____
- d. The reason the exception was invoked. (229.13(g)(1)(iv)) _____
- e. The day the funds will be available for withdrawal (unless the emergency conditions exception is invoked and the bank does not know when the funds will become available)? (229.13(g)(1)(v)) _____
2. Does the bank refrain from delaying funds availability beyond a reasonable time period? (**NOTE:** Five days for local checks and six days for nonlocal checks is considered reasonable.) (229.13(h)(4)) _____

Exceptions**H. New Accounts**

Expedited Funds Availability (continued)**YES****NO**

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|----|--|-------|-------|
| 1. | Does the bank's definition of a new account comply with the definition under Section 229.13(a)(2)? <i>(NOTE: If a customer has had another transaction account at the bank within the thirty days prior to opening an account, the customer does not qualify for the "new account" exception.)</i> | _____ | _____ |
| 2. | If the bank's definition is different, does it delay availability to new account holders beyond the limits set forth in the regulation? | _____ | _____ |
| 3. | Do the bank disclosures accurately reflect the bank's practice for making deposited funds available for new accounts? | _____ | _____ |
| 4. | Do cash deposits made in person to a bank employee become available for withdrawal on the first business day following the day of the deposit? (229.13(a)(1)(i) and 229.10(a)(1)) | _____ | _____ |
| 5. | Are cash deposits not made in person to a bank employee available for withdrawal on the second business day following the day of deposit? (See the Official Staff Commentary to 229.13(a)(1) and 229.10(a)(2)) | _____ | _____ |
| 6. | Are electronic transfers into new accounts available for withdrawal on the business day following the day the transfer was received? (229.13(1)(i) and 229.10(b)) | _____ | _____ |
| 7. | Is the first \$5,000 from any of the following types of check deposits available for withdrawal from a new account not later than the first business day after the day of the deposit, if the deposits meet the requirements of Section 229.10(c)*: (229.13(a)(1)(ii)) | | |
| a. | Treasury checks (229.10(c)(1)(i)) | _____ | _____ |
| b. | U.S. Postal Service money orders (229.10(c)(1)(ii)) | _____ | _____ |
| c. | Federal Reserve or Federal Home Loan Bank checks (229.10(c)(1)(iii)) | _____ | _____ |
| d. | State or local government checks (229.10(c)(1)(iv)) | _____ | _____ |
| e. | Cashier's, certified, and teller's checks (229.13(a)(1)(iii)) | _____ | _____ |
| f. | Traveler's checks (229.13(a)(1)(iii)) | _____ | _____ |
| | * See section I.B. of the checklist | | |
| 8. | Is the amount of any deposit type listed in question 7 exceeding \$5,000 available for withdrawal no later than the ninth business day following the day of deposit? (229.13(a)(1)(ii)) | _____ | _____ |

I. Large Deposits

Expedited Funds Availability (continued)**YES****NO**

1. If the bank invokes the large deposit rule, does it do so only to that portion of the aggregate local and nonlocal check deposits which exceed \$5,000 on any one banking day? (229.13(b)) _____
2. Does the financial institution refrain from applying this exception to deposits made in cash, by electronic payment, or to checks which must receive next-day availability under Section 229.10(c)? (See Official Staff Commentary to 229.13(b)) _____
3. Does the bank provide customers with a written notice of the longer delay? (229.13(g)(1)) _____
Is the notice: (229.13(g)(2))
 - a. Provided at the time of the deposit, when the deposit is received in person by an employee of the bank, or _____
 - b. Mailed on or before the first business day after the day the bank learns of the facts giving rise to the exception? _____

J. Redeposited Checks

1. Does the bank refrain from applying the redeposited exception to:
 - a. Checks which are returned due to a missing endorsement and are subsequently endorsed and redeposited? (229.13(c)(1)) _____
 - b. Checks which were returned because they were postdated, but are not postdated when redeposited? (229.13(c)(2)) _____
2. Does the bank consider the day the check was redeposited to be the day of deposit when determining when funds must be made available for withdrawal? (See Official Staff Commentary to 229.13(c)) _____

K. Repeated Overdrafter Exception

1. Does the bank impose longer holds for depositors who have a history of overdrafts? _____
2. Does the bank invoke the repeated overdraft exception only when the account balance is negative (or would have been negative had checks or other charges been paid):
 - a. Six or more times during the preceding six months, or (229.13(d)(1)) _____
 - b. Two or more times during the preceding six months, if the amount of any negative balance would have been \$5,000 or more. (229.13(d)(2)) _____

Expedited Funds Availability (continued)**YES****NO**

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|----|--|-------|-------|
| 3. | Is the practice articulated in the bank's written policy and initial disclosure statement? (229.16(a)) | _____ | _____ |
| 4. | When the bank imposes the longer delay period, is the depositor notified of the reason, in writing, at the time of deposit? If not, is a notice mailed on or before the first business day after the day of the deposit or the day the bank learns the facts giving rise to the exception? (229.13(g)) | _____ | _____ |
| 5. | Does the bank return the account to the normal availability schedule when the account is no longer repeatedly overdrawn? <i>(NOTE: Banks may use this exception for six months after the last overdraft that makes the depositor a "repeated overdrafter" (See K.2 above).</i> (229.13(d)) | _____ | _____ |

L. Reasonable Cause to Doubt Collectibility

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|----|---|-------|-------|
| 1. | Does the bank refrain from applying the reasonable cause exception to: (229.13(e)(1)) | | |
| a. | U.S. Treasury checks | _____ | _____ |
| b. | U.S. Postal Service money orders | _____ | _____ |
| c. | State and local government checks, and | _____ | _____ |
| d. | "On Us" checks? | _____ | _____ |
| 2. | When the bank invokes a reasonable cause exception, does it provide the customer with a written notice of exception at the time the deposit was made, if the deposit was made in person to an employee of the bank? (229.13(g)(2)) | _____ | _____ |
| 3. | If the deposit was not made in person to an employee of the bank, or if the hold was placed because of information learned subsequent to the receipt of the deposit, does the institution mail the exception notice to the customer? (229.13(g)(2)) | _____ | _____ |
| 4. | Does the bank retain copies of each reasonable cause exception notice, along with a brief statement of the facts which led to the hold, for a period of two years? (229.13(g)(3)) | _____ | _____ |
| 5. | Does the depository bank refrain from invoking the reasonable cause exception based on the race or national origin of the depositor or the class of the check? (229.13(e)) | _____ | _____ |
| 6. | Does the bank refrain from assessing a fee for any subsequent overdraft, return check, or other unpaid charge (or advise customers of their right to a refund of such fees and refund them upon request) if all of the following are met: | | |

Expedited Funds Availability (continued)**YES****NO**

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|----|--|-------|-------|
| a. | The depository bank extended the availability period based on its belief that the check was uncollectible (229.13(e)(1)) | _____ | _____ |
| b. | The depositor was not provided with the written notice required by Section 229.13(g)(1) at time of deposit (229.13(e)(2)) | _____ | _____ |
| c. | The overdraft or return would not have occurred if the availability period had not been extended (229.13(e)(2)(i)) and | _____ | _____ |
| d. | The deposited check was finally paid by the paying bank? (229.13(e)(2)(ii)) | _____ | _____ |
| 7. | Does the exception notice inform the customer where to direct a request for a refund of the overdraft fees? (229.13(e)(2)) | _____ | _____ |

M. Emergency Conditions

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|----|--|-------|-------|
| 1. | Does the bank refrain from imposing emergency condition holds on checks subject to next-day availability under 229.10(c)? (See Official Staff Commentary to 229.13(f)) | _____ | _____ |
| 2. | Does the bank invoke the emergency conditions exception only in the following circumstances and when the bank has exercised necessary diligence as circumstances require: | | |
| a. | An interruption of communications or computer or other equipment (229.13(f)(1)) | _____ | _____ |
| b. | Suspension of payments by another bank (229.13(f)(2)) | _____ | _____ |
| c. | War, or (229.13(f)(3)) | _____ | _____ |
| d. | An emergency condition beyond the control of the bank? (229.13(f)(4)) | _____ | _____ |
| 3. | Does the bank make funds available for withdrawal no later than a reasonable period after the emergency has ended or within the time period established by the temporary and permanent schedules, whichever is later? (229.13(h)(3)) (As stated in the Official Staff Commentary to 229.13(h)(4), a reasonable period is five business days for local checks and six for nonlocal checks.) | _____ | _____ |
| 4. | Does the bank provide customers with a written notice of the longer delay? (229.13(g)(1)) | _____ | _____ |

Expedited Funds Availability (continued)**YES****NO**

5. Is the notice provided at the time of the deposit, if the deposit is received in person by an employee of the bank or is the notice mailed on or before the first business day after the day the bank learns of the facts giving rise to the exception? (229.13(g)(2))

Miscellaneous**N. Calculated Availability***Non-consumer Transaction Accounts (229.19(d))*

1. Does the bank calculate funds availability for non-consumer accounts based on a sample of the customer's deposits?

If yes, obtain a copy of the bank's formula for determining its availability schedule. Review a sample of checks similar to that used by the bank to calculate funds availability and answer the following:

- a. Is the sample of checks large enough to accurately utilize the formula?
- b. Does the formula accurately represent the average composition of the customer's deposits?
- c. Does the specified percentage of available funds appear reasonable? (Is a set percentage available the next business day, with remaining funds available according to the customer's deposit mix?)

2. Based on the sample, are the terms of availability for the account equivalent or more prompt than the terms outlined in the regulation?

II. PAYMENT OF INTEREST

Review a copy of the bank's availability schedule for check deposits credited through the Reserve Bank or its correspondent bank. Determine the time that the bank receives provisional credit for check deposits.

1. For each interest-bearing transaction account offered by the bank (for example, NOW accounts, ATS accounts), does the bank begin to accrue interest on the funds deposited no later than the business day on which the bank receives provisional credit for the funds? (229.14)

Expedited Funds Availability (continued)

YES NO

**Workpaper Appendix for Districts with Banks
Located Outside the Continental U.S.**

Deposits at non-continental U.S. offices

An extension of one day is permitted under certain strictly defined circumstances and for limited types of deposits. If a check is deposited at a bank in Alaska, Hawaii, Puerto Rico or the U.S. Virgin Islands and the paying bank is not located in the same jurisdiction, a one-day extension is permitted for deposits other than those that must be available on the next business day. *(NOTE: This extension applies only to bank offices located outside the continental U.S. Check deposits received at a bank inside the continental U.S., but drawn on a bank located outside the U.S., such as Alaska, or Hawaii, are not granted the extension.)*

1. For offices located in Alaska, Hawaii, Puerto Rico and the U.S. Virgin Islands does the bank extend availability for check deposits drawn on banks in other states? (229.11(e)(1))
2. If yes,
 - a. Is the extension limited to checks drawn on banks in a different state? (A Hawaiian bank could receive a "local" check drawn on a bank in Honolulu or a bank in San Francisco. Only the San Francisco check can be delayed.) (229.12(e)(2))
 - b. Is the extension limited to one day? (229.12(e))

_____	_____
_____	_____
_____	_____